

# **FISCAL MEMORANDUM**

## **HB 2206 – SB 2284**

April 21, 2007

**SUMMARY OF AMENDMENT (006439):** Deletes all language from the enacting clause and requires an officer of the court to conduct a preliminary inquiry into the possibility of informal adjustment in cases involving delinquent and unruly children. Prohibits informal adjustments in cases which constitute certain offenses.

### **FISCAL IMPACT OF ORIGINAL BILL:**

Increase Local Govt. Expenditures – Net Impact - \$180,000\*

### **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- Tenn. Code Ann. § 37-1-110(a) currently grants the authority to provide council and advice about a possible informal adjustment. This bill would require counsel and advice be provided to the parties involved.
- According to the Comptroller's Office, there are nine counties that will need an additional position to meet the requirements of the bill due to such counties not providing every juvenile case with counsel and advice.
- It is estimated that each of the nine counties will hire one individual which will be paid \$20,000 annually which will increase local government expenditures by \$180,000 (\$20,000 X 9).
- The requirement to provide counsel for an informal adjustment without adjudication would result in a decrease in the number of cases that will be heard in the juvenile court system. The offenses that are excluded from the informal adjustments will increase the number of cases in the juvenile court system. Such will have a not significant net fiscal impact on the juvenile court system.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### **CERTIFICATION:**

**<BillComp>**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly distinguishable, and a middle initial "W." in between.

James W. White, Executive Director

/kml